

May 7, 2018

VIA FOIAONLINE. REGULATIONS.GOV

U.S. Environmental Protection Agency
National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
Phone: (202) 566-1667
Fax: (202) 566-2147

Re: Freedom of Information Act Request: Records of Meetings and Communications

Dear National Freedom of Information Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, (FOIA), Friends of the Earth (FOE) hereby requests the following records from Headquarters of the U.S. Environmental Protection Agency (EPA):

I. Requested Record

- Any and all records of meetings that occurred between January 1, 2017 and May 7, 2018 involving:
 - Staff from the EPA Office of the Administrator and employees of Faegre Baker Daniels;
 - Staff from the EPA Office of the Administrator and employees of ConocoPhillips and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Ardagh Group and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Devon Energy and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Continental Resources and/or its subsidiaries.
- Any and all records of correspondence sent and/or received between January 1, 2017 and May 7, 2018 involving:
 - Staff from the EPA Office of the Administrator and employees of Faegre Baker Daniels;
 - Staff from the EPA Office of the Administrator and employees of ConocoPhillips and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Ardagh Group and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Devon Energy and/or its subsidiaries;
 - Staff from the EPA Office of the Administrator and employees of Continental Resources and/or its subsidiaries.

II. Scope of request:

For the purposes of this request, records of “meetings” includes, but is not limited to, meeting minutes, presentations (including slides), exhibits, transcripts, or other materials that was either presented to EPA or presented by EPA during the meeting, shared in advance before the meeting, or provided to/from EPA as follow-up to the meeting.

For the purposes of this request, “correspondence” includes any letters and emails, as well as their attachments, which were sent from and/or received by one or more staff members from the Office of the Administrator.

“Staff from the EPA Office of the Administrator” includes, but is not limited to, the EPA Administrator, the Deputy Administrator, any associate administrators, senior advisor, and/or senior counsel.

III. Claims of Exemption from Disclosure

If you regard any documents as exempt from required disclosure under FOIA, please exercise your discretion to disclose them nevertheless, keeping in mind that FOIA “is the most prominent expression of a profound national commitment to ensuring an open Government” and that “[a]ll agencies should adopt a presumption in favor of disclosure.” President Barack Obama, Memorandum For the Heads of Executive Departments and Agencies: Freedom of Information Act, 74 Fed. Reg. 4, 863 (Jan. 26, 2009).

In the alternative, after careful review for the purpose of determining whether any of the information is exempt from disclosure, please provide all reasonably non-exempt portions of records and communications as required by FOIA.

Should you elect to invoke an exemption, please provide the required full or partial denial letter and sufficient information to determine whether or not there may be grounds to appeal EPA’s decision. In accordance with the minimum requirements and regulations of due process, this information should include:

- a. Basic factual material, including the originator, date, length, and addresses of the withheld items.
- b. Explanations and justifications for denial, including the identification of the exemption applicable to the withheld information or portions of the information found to be subject to exemption, and how each exemption applies to the withheld material.

IV. Requests for Clarification

If I can provide any additional information or answer any questions that can help to clarify or limit this request, please do not hesitate to contact me.

Thank you,

Lukas Ross
Senior Policy Analyst
Friends of the Earth
1101 15th Street NW
11th Floor
Washington, DC 20005
202-222-0724
lross@foe.org